

1 **Central Coast Bankruptcy, Inc.**  
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5 Attorney for Debtor(s)

6 UNITED STATES BANKRUPTCY COURT  
7  
8 NORTHERN DISTRICT OF CALIFORNIA

9 In re:

Case No. 18-41947 WJL  
Chapter 13

10  
11 PHILLIPS, Billy

**MOTION TO IMPOSE AUTOMATIC  
STAY AS TO ALL CREDITORS**

12  
13 Debtor(s)  
14 \_\_\_\_\_/

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16 **TO THE CHAPTER 13 TRUSTEE AND TO ALL CREDITORS OF BILLY**

17 **PHILLIPS:**

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19 Jason Vogelpohl, of Central Coast Bankruptcy, Inc., attorney of record in the above-  
20 referenced case, hereby moves the Court for an Order Imposing the Automatic Stay with Respect  
21 to all Creditors of Debtor Billy Phillips pursuant to Section 362(c)(4)(B) of the United States  
22 Bankruptcy Code and Local Bankruptcy Rules 9014-1. Section 362(c)(4)(A)(i) provides that if  
23 the Court does not order the invocation of the automatic stay, there is no automatic stay in this  
24 case because there were two previous Chapter 13 cases of the Debtor pending within the  
25 preceding one year, both of which were dismissed.  
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1 This Motion is made on the grounds that the present Chapter 13 Bankruptcy case was  
2 filed in good faith and that the invocation of the automatic stay is necessary to protect and  
3 preserve the bankruptcy estate and that the invocation of the automatic stay is in the best interest  
4 of the Debtor, Creditors, and the bankruptcy estate.

5 This Motion is based on the attached Notice of Motion and Opportunity for Hearing, this  
6 Motion pleading, the attached Points and Authorities, the attached Declaration of Debtor(s) in  
7 Support of Motion to Impose the Automatic Stay as to all Creditors, and all schedules,  
8 statements and documents filed in this case.

9 Pursuant to Section 362(c)(4)(A)(i), there is no automatic stay that went into effect upon  
10 the filing of this case. Pursuant to Section 362(c)(4)(B), within 30 days of the filing of the  
11 Chapter 13 Bankruptcy, the Court may order a stay to take effect in the case as to any or all  
12 creditors after a noticed motion and/or hearing. Debtor will and does hereby move the Court for  
13 an Order Imposing the Automatic Stay for the duration of his Chapter 13 case, with respect to all  
14 debt that are included in their petition and schedules, including the debts to secured creditors Fay  
15 Financial and Wells Fargo Dealer Services, as well as all general unsecured creditors provided  
16 for within Debtor's Schedule of Debts.

17 WHEREFORE, Jason Vogelpohl of Central Coast Bankruptcy, Inc. prays for an Order  
18 Imposing the Automatic Stay with Respect to all Creditors until Debtor's Chapter 13 Bankruptcy  
19 case is discharged, dismissed or otherwise modified by Order of the Court, and for such other  
20 relief as the Court may deem appropriate.

21 Respectfully submitted,

22  
23 Date: August 22, 2018

24 /s/ Jason Vogelpohl #252407  
25 JASON VOGELPOHL, Esq.  
26 Attorney for Debtor(s)  
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